

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/99

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

GWENDOLYN VARNER

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

THE PRUDENTIAL INSURANCE COMPANY
OF AMERICAN AND STANDARD CHARTERED
BANK

05 CV 7919
JUDGE SCHEINDLIN

TO: (Name and address of defendant)

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA
290 WEST MOUNT PLEASANT AVENUE
LIVINGSTON, NEW JERSEY 07039

STANDARD CHARTERED BANK
ONE MADISON AVENUE
NEW YORK, NY 10010

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

STEVEN J. FINKELSTEIN
1164 VICTORY BOULEVARD
STATEN ISLAND, NEW YORK 10301

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

JJ. MICHAEL McMAHON

SEP 12 2005

CLERK

DATE

(BY) DEPUTY CLERK

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RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹	DATE NOVEMBER 18, 2005
NAME OF SERVER (PRINT) JAMES W. RYOR	FILE PROCESS SERVER # 1000656
Check one box below to indicate appropriate method of service	
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: PRUDENTIAL INSURANCE COMPANY OF AMERICA, 751 BROAD STREET, NEWARK, N.J.	
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____	
<input type="checkbox"/> Returned unexecuted: _____	
<input checked="" type="checkbox"/> ADDITIONAL Other (specify): LUISA SANCHEZ - SHE TO KATHLEEN M. GIBSON - AGENT FOR PRUDENTIAL INS CO OF AMERICA - ACCEPTED	

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on NOVEMBER 18, 2005
Date

Signature of Server

79 WHITEWOOD AVE
STATEN ISLAND NY
Address of Server

WILLIAM L. MAHDI

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



B 151— Affidavit of Service of Summons or Subpoena: Personal or Alternative Methods: Corp. or Ind.; Military Service, 10 pt. type, 1-95

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SOUTHERN COURT DISTRICT
COUNTY OF NEW YORK
GIVEN VOLUNTARILY

Index No. 05 CV 7919

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)

Plaintiff(s)
THE PRUDENTIAL INSURANCE COMPANY OF
AMERICA & STANDARD CHARTERED BANK
Defendant(s)

Judge: [Signature]

STATE OF NEW YORK, COUNTY OF RICHMOND SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at 77 WHITEWOOD AVE SEAFAR ISLAND D.C. That on DECEMBER 18, 2005 at 12:45 PM, at 751 BROAD STREET NEWARK N.J. deponent served the within summons, and complaint on THE PRUDENTIAL INSURANCE CO OF AMERICA defendant therein named,

INDIVIDUAL by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as
1. ☐ said defendant therein.
CORPORATION a corporation, by delivering thereat a true copy of each to
2. ☐ personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.
SUITABLE AGE PERSON by delivering thereat a true copy of each to a person of suitable age
3. ☐ and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
AFFIXING TO DOOR, ETC. by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—
4. ☐ usual place of abode—within the state Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

☒ EVA SANCHEZ - ACCEPTED FOR KATHLEEN GIBSON AGENT FOR PRUDENTIAL INS CO OF AMERICA IN LOBBY (SECURITY)

MAILING TO RESIDENCE USE WITH 3 OR 4 5A. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
MAILING TO BUSINESS USE WITH 3 OR 4 5B. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION USE WITH 1, 2, OR 3 ☒ Male ☐ White Skin ☒ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.
☒ Female ☒ Black Skin ☐ Brown Hair ☐ Balding ☒ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☐ 36-50 Yrs. ☒ 5'4"-5'8" ☒ 131-160 Lbs.
☐ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.
☐ Red Skin ☐ Red Hair ☒ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

Other identifying features:

USE IN NYC CIVIL CT. ☐ The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY SERVICE ☒ I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on this 18th day of December, 2005

NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED TO TAKE OATHS IN COUNTY OF RICHMOND

PRINT NAME BENEATH SIGNATURE

License No. 1000056

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.